

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/899,907
Applicant : Yoshimasa Honda et al.
Filed : July 5, 2001
Title : MOVING PICTURE CODING APPARATUS

Conf. No. : 3598
TC/A.U. : 2621
Examiner : Richard Lee

Customer No. : 000,116
Docket No. : 33782

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Refund Section, Accounting Division
Office of Finance

Sir:

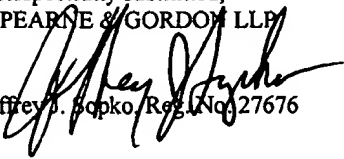
Applicant requests a refund in the amount of \$1400.00 for the Deposit Account charge dated November 27, 2006. The issue fee and publication fee in the amount of \$1700.00 was paid by check no. 68115 (copy attached) dated January 16, 2006.

On February 3, 2006, a Petition to Withdraw from Issue After Payment of Issue Fee, a Request for Continued Examination and an Information Disclosure Statement were submitted to the PTO via facsimile (copy attached).

The subject application was allowed again on October 20, 2006. On November 21, 2006, the Issue Fee Transmittal was sent to the Patent Office along with an acknowledgement receipt postcard indicating that the issue fee was previously paid (copies attached).

On November 27, 2006, our Deposit Account was charged \$1400.00 for the issue fee. Since we can find no evidence that our check no. 68115 was returned to us or that the payment made on January 16, 2006 has been credited to our Deposit Account, Applicant requests the duplicate charge of \$1400.00 be credited to our Deposit Account No. 16-0820, Order No. NGB-33782.

Respectfully submitted,
PEARNE & GORDON LLP


Jeffrey J. Sopko, Reg. No. 27676

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700
December 21, 2007

PEARNE & GORDON LLP

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CLEVELAND, OH 44114-3108

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CLEVELAND, OHIO 44115
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ORDER

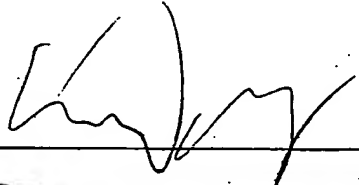
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DATE

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PATENT AND TRADEMARK OFFICE
13-10-0001
02-07-2006
FOR CREDIT TO THE
U.S. TREASURY

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/899,907
Applicant : Yoshimasa Honda et al.
Filed : July 5, 2001
Title : MOVING PICTURE CODING APPARATUS

Conf. No. : 3598
TC/A.U. : 2613
Examiner : Richard J. Lee

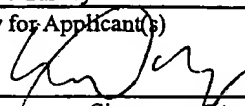
Customer No. : 116
Docket No. : 33782

PETITION TO WITHDRAW FROM ISSUE
AFTER PAYMENT OF ISSUE FEE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions and requests that the above-identified patent application be withdrawn from issue pursuant to 37 CFR § 1.313(c)(2). In accordance with 37 CFR § 1.313(a), applicant's petition is supported by good and sufficient reasons why withdrawal of the application from issue is necessary, as follows.

CERTIFICATION OF FACSIMILE TRANSMISSION	
Facsimile No.: <u>1-571-273-0025</u>	
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.	
<u>Michael W. Garvey</u>	
Name of Attorney for Applicant(s)	
<u>February 3, 2006</u>	
Date	Signature of Attorney

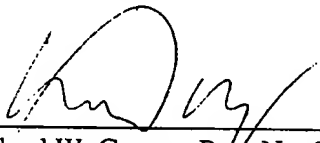
Applicant and its representatives have recently become aware of the existence of an additional document which requires submission under 37 C.F.R. § 56 and has not been previously submitted in this application. This document is believed to be sufficiently relevant to warrant entry into the record in this application and consideration by the Examiner.

A Request for Continued Examination (RCE) and a Supplemental Information Disclosure Statement including Form PTO-1449 are filed herewith.

Please charge the \$130.00 Petition fee under §1.17(h) as well as the \$790.00 Request for Continued Examination fee under §1.17(e) to Deposit Account No. 16-0820, Order No. 33782.

Respectfully submitted,

PEARNE & GORDON LLP

By: 
Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: February 3, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/899,907
Filing Date	July 5, 2001
First Named Inventor	Yoshimasa Honda
Art Unit	2613
Examiner Name	Richard J. Lee
Attorney Docket Number	33782

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/ Declaration(s)
 - ☒ Information Disclosure Statement (IDS)
 - ☐ Other _____
- Miscellaneous**

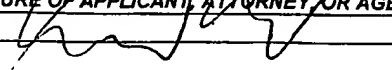
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☒ Other Petition to Withdraw from Issue
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 16-0820. I have enclosed a duplicate copy of this sheet.

 - ☒ RCE fee required under 37 CFR 1.17(e)
 - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☒ Other Petition fee
 - ☐ Check in the amount of \$ _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)


WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Signature		Date	February 3, 2006
Name (Print/Type)	Michael W. Garvey	Registration No.	35878

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	February 3, 2006
Name (Print/Type)	Michael W. Garvey		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/899,907 Art Unit: 2613
Filing Date: July 5, 2001
Title: MOVING PICTURE CODING APPATUS
Docket No.: 33782


INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with Rule 56, applicants are aware of the publications listed in the enclosed copy of Patent Office Form 1449. A copy of each of the U.S. publications is not enclosed in accordance with the waiver of Patent Office rule 37 CFR 1.98(a)(2)(iii).

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Michael W. Garvey, Reg. No. 35878

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(216) 579-1700

February 3, 2006

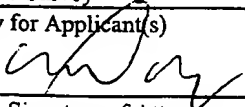
CERTIFICATION OF FACSIMILE TRANSMISSION

Facsimile No.: 1-571-273-0025

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Michael W. Garvey
Name of Attorney for Applicant(s)

February 3, 2006
Date


Signature of Attorney

Form PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 33782	SERIAL NO. 09/899,907
INFORMATION DISCLOSURE CITATION BY APPLICANT <i>(USE SEVERAL SHEETS IF NECESSARY)</i>		APPLICANT: Yoshimasa Honda	
		FILING DATE: July 5, 2001	GROUP ART UNIT: 2613

U.S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,708,473	1/1998	Mead			
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	Translation
	L						
	M						
	N						
	P						
	Q						

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	R	
	S	
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Examiner:	Date Considered
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*Examiner: Initial if reference considered, regardless of whether citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

60912

The U. S. Patent Office acknowledges receipt of:

Ser. No. _____

Paper: Issue Fee PTOL-85B & PTO/SB/47

Serial No.: 09/899,907

Filed: 7/5/01

Due: 1/22/07

Previously paid issue fee of 2/28/06 applied.

Mailed: 11-21-06

Docket No. 33782 (NGB)